App. F. IX-4

Previous References.

1940-41 RA

RA File No. 115-40.
Serial Nos. (a) 1

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

P-15
E

Part B for May 1941

SUBJECT.

Nanjangud Muslim Constituency — Returning election expenses.

The Compiler Mysore Gazette
Notfn: RL 3485- RA 115-40-1 dated 21-4-41

Directs that the disqualification incurred by Mr. Amanjan, an elected candidate from Gundlupet group Muslim Constituency for having failed to lodge the return of his election expenses within the prescribed period, be removed.

K.S. Murthy
26/3/1942

Nanjad Muslim Constituency — Returns of election expenses 1875/R1

General and Revenue Secretariat
R. A. & L. C.

R/A File No. of 1940.- 41 [App. F. III-2]

Serial No.

Letter No A1-166/404 dated 24.3.1941 from the Returning Officer, Muslim Constituency, Nanjangud Sub-Div., reporting for reasons stated in the P.U.D. he has returned the return of election expenses lodged by one Mr. Annapa who was elected from the Muslim Constituency for the RA. for making correct entries & re-submission

V (Collection put up)

1) In accordance with the directions contained in this office letter No.R1.3284-98 dated 17th March 1941, the Returning Officer of every constituency is only required to submit a consolidated report (in the printed forms supplied to them) to Government the return of election expenses lodged by candidates who had stood for election in his constituency. The action of the Returning Officer in having returned the return of election expenses to the candidate for making correct entries is perhaps not in accordance with the rules in ~~the~~ this behalf and is not also in accordance with the circular instructions conveyed in this office letter No.R1.3284-98 dated 17th March 1941 ~~issued~~ indicating that the Returns lodged by a candidate must be accepted by the returning Officers unless it is not stamped or is deficiently stamped.

1902 V

2) It is not perhaps the duty of the returning Officer to instruct the candidates as to how the several forms of the returns should be filled up, ~~and also~~ or to inspect the same just to find out the correctness or otherwise of the details entered therein.

3) For orders if the Returning Officer may be informed

Note—Contd. Sheet.

WD 0030—GPB—1,000—19-4-40

2 Nanjud Muslim Constituency - Return lodged by a Candidate

RA File No. 1875 RL 209 of 1940-41

General and Revenue Secretariat. R. A. & L. C.

Serial No.

that the Circular instructions conveyed in this office letter dated 17.3.1941 regarding this matter should be strictly followed without any deviation.

DSO 25.3.1941

4) The Returning Officer may be asked to intimate what particulars, as required by Rule (1) (2) and (3) had not been furnished by the candidate when he presented his return on 18-3-41.

5) (Law Secy) MAV 27/3

6617 27/3

Hm 27/3/41 MAV 27/3

6) Subtd with a draft letter for approval.

DSO 29/3/41.

Issue MAV 29/3

The Returning Officer
Nanjangud Sub Dn
Nanjangud

Issued No RL 3386 dated 31.3.1941
Calls for further report in the matter

Sub A 31-3-1941

Letter No A1-106 dated 2nd April 1941 from the S.D.O. and Returning Officer, Nanjangud Muslim Constituency submitting the report called for.

OFFICE OF ... REPR. LEG

7) Subtd for perusal with refce to this office letter No RL 3386 dated 31.3.1941 addressed to the S.D.O. Nanjangud.

Nanjangud Muslim Constituency 3

Return of election expenses

General and Revenue Secretariat R. A. & L. C.

RA File No. of 1940(4) 2097/RA

App. F III-2

Serial No.

8) The Returning Officer was perhaps correct in returning the Return of election expenses lodged by the candidate in question as since it was not stamped under the provisions of cl(3) of Rule 165 of the R.A. Rules ~~to~~ all un-stamped Returns have to be rejected. It is reported in the P.U.D. that the candidate has again filed his return after making the necessary Corrections on 28.3.1941, ~~when which date~~ instead of on 27.3.1941 which was the last date permissable for filing such Returns.

DBR
8/4/41

9) By his failure to lodge his return of election expenses on or before the 27th March 1941, Mr. Ameer Jan, the returned candidate from the Gundlupet cum Chamarajanagar cum Nanjangud cum T-Narsipur cum Yellandur Muslim constituency for the Representative Assembly, has incurred the disqualification specified in clause (h) of sub-section 1 of Section 20 of the Act, namely, disqualification from being chosen as, and from being, a member of either Chamber. The disqualification according to the provisions of this section, takes effect after the expiry of one month from the date by which the return pught to have been lodged or of such longer period as the Government may in any particular case allow. The disqualification follows automatically the failure to lodge the return within time, and

NOTE—Contn. Sheet.

File No. C 2097/41 of 194

General and Revenue Secretariat R. A. & L. C.

Serial No.

publication in the Gazette is not necessary for the disqualification to take effect (vide Dhanraj Sharma Vs. Mohant Man Mohan Das at page 298 of Nanakchand's Law of Elections.)

10) In this case the disqualification attaches to Mr. Ameer Jan from the 27th April 1941 and he cannot therefore sit as a member at the coming Budget Session of the Assembly. If he sits and votes as a member he will be liable under Section 21 of the Act in respect of each day on which he sits or votes to a penalty of Rs.100/-.

11) Power is however reserved to Government under Clause (h) of sub-section 1 of Section 20 to remove the disqualification. It is for consideration if in the circumstances of the case this power may be exercised and the disqualification of Mr. Ameer Jan removed.

JMW 9/4

7077 10/4.

Law Secy.)

12) Mr Ameerjan filed his return of election expenses on 18-3-41. It was returned to him as he had not furnished all the particulars required. He has re-filed it on 28-3-41 instead of 27-3-41. This is a fit case for Government to Remove the disqualification under cl (h) of Sub-Section 1 of Section 20 of the Act.

13) The disqualification may be removed

I Member)

Hm 13/4/41

JMW 14/4

14) JMW 15/4/41

Hm 16/4/41 JMW 16/4

OFFICE OF THE FIRST MEMBER OF APR 14 1941 No. 05-90

Removing of disqualifications 5

2097/RL
1878/RL

General and Revenue Secretariat
R. A. & L. C.

RA File No. of 1940-41 App F III-2

Serial No. 15

As directed in para (3) of the notes supra, a draft notn. removing the disqualification of Mr. Ameerjan an elected candidate from the Gundlupet Muslim Constituency is put up for appl.

may be approved
MNV 17/4

DSR
17.4.41

Law Secy)

MKT

~~[illegible]~~

Hm 2
17/4/41

Issue
MNV 17/4

249
17/4

The Compiler, Mysore Gazette

Notn. No RL 3485 RA 115-40-1 dated 21.4.41

Directs that the disqualification ~~[illegible]~~ to be a member of the RA incurred by Mr. Ameerjan an elected candidate ~~who had sto~~ from Gundlupet group Muslim Constituency for having failed to lodge the return of his election expenses within the prescribed period, be removed.

Susc.
26.4.41

OFFICE OF THE SECRETARY
26 APR. 1941
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

B
9/5/1941
DSR

OFFICE OF THE SECRETARY
MAY 1941
REP... ASSEMBLY
...NCIL

NOTE: Contn. Sheet.

1875/RL

6

A1-166/404 OFFICE Mr. D.S.

Office of the Sub Division Officer,
Nanjangud Sub Division,
Dated, Nanjangud, the March 1941

From

The Sub Division Officer, and Returning Officer,
of the Mohammadan Constituency, of the R.A.
Nanjangud Sub Division.

To

The Secretary to Government,

Law Department, Bangalore.

Sir,

With reference to your letter No. R.A.3284/98 dated 17-3-41 addressed to the Deputy Commissioner in the matter of lodging the return of Election expenses, I have the honour to state that Mr. G.R. Ameerjan who has been returned as a Mamber for the R.A. of the Mohammadan constituency of this Sub Division, filed on 18-3-41, the retxurn of election expenses and that as it did not furnish all particulars required under Rule 165 (1) (2) and (3), the same has been returned to him to retransmit after supplying these omissions. Soon after it is received back, further action as required by rules will be taken.

I have the honour to be,

Sir,

Your most obedient servant.

Sub Division Officer & Returning
Officer, of the Mohammadan
Constituency of R.A.
Nanjangud Sub Division.

7

Appendix F G–1]
R. A. & L. C.

SUBJECT

Section

File No.

Serial No.

2 copies

No. RL 3386 dated 31.3.41

Diary No. of letter replied to

To

The Returning Officer &
S.D.O. Nanjangud Sub-Dn.
Nanjangud.

General and Revenue Secretariat
R. A. & L. C.

( )

Sir,

With refce to your letter no A1-106/404 dated 24.3.1941, reporting ~~for the information of fact~~ that the Return of the election expenses lodged ~~before you~~ by one Mr. Ameerjan who was elected from the Nanjud Muslim Constituency for the R.A. was returned to him for necessary correction etc, I am directed to request you to intimate what particulars as required by ~~Rule~~ cls 1 & 2 & 3 of Rule 165 of the R.A. Rules had not been furnished by the Candidate when he presented ~~the~~ the return on 18.3.1941.

Date of issue 31.3.41

Signed by Mr. M. K. Varada Rajan.

making

List of enclosures

Copied by

Examined by

I have etc

[illegible] 29/3

For Secy to Law Dt

DS

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 31st March 1941.

No. RL 3386.

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Returning Officer and ~~the~~ Sub Division Officer,
Nanjangud Sub Division,
Nanjangud.

Sir,

With reference to your letter No.A1-106/ 404 dated 24th March 1941, reporting that the Return of the election expenses lodged by one Mr. Ameerjan who was elected from the Nanjangud Muslim constituency for the Representative Assembly was returned to him for making necessary correction etc., I am directed to request you to intimate what particulars as required by clauses 1, 2 and 3 of Rule 165 of the Representative Assembly Rules ~~nh~~ had not been furnished by the candidate when he presented the return on 18th March 1941.

I have the honour to be,
Sir,
Your most obedient servant,

M. K. Varadaraj au
for Secretary to Government,
Law Department.

HKR/2.

2097/M 9

/40-41. Office of the Sub Division Officer,
Nanjangud Sub Division,
Dated, Nanjangud 2nd April 1941.

From,

The Returning Officer and Sub Division Officer,
Nanjangud Sub Division, Nanjangud.

To,

The Secretary to the Government,
Law Department, Bangalore.

Sir,

In reply to your letter No.R.3386 dated 31-3-41, I have the honour to state that, the following particulars had not been furnished by Mr. Ameerjan, in the return of election expenses.

1. Statement had not been signed by the agent of the candidate, as required under rule 165-(1)
2. Declaration of the agent or oath had not been done as required under rule 165-(2)
3. Court fee stamp of Rs.2/- had not been affixed as required under rule 165-(3)

The return of the election expenses, was returned by Mr. Ameerjan after supplying the above omissions which was received in this office on 28-3-1941 and necessary further action was taken thereupon and a report was submitted on 30-3-41 with this office No.A1-106-C.380/40-41.

I have the honour to be,
Sir,
Your most obedient servant,

Sub Division Officer,
Nanjangud.

2/4

BSA.

Appendix F G-1]
F. A. & L. C.

Ab

10

SUBJECT

Section RA

File No. 115-40

Serial No. 1

No. RL 3485-RA 115-40-1 dated 21-4-41

Notification

Diary No. of letter replied to

To

General and Revenue Secretariat
R. A. & L. C.

( )

Date of issue

Signed by

List of enclosures

Copied by

Examined by

In exercise of the powers conferred under cl (h) of Sub-section (1) of Section 20 of the Govt. of Mysore Act, 1940, the Govt. of His Highness the Maharaja are pleased to remove the disqualification incurred under Paragraph (h) of Sub-section (1) of the said Section, by the undermentioned person being an ~~elected~~ Candidate at the elections to the Mysore Representative Assembly held in the year 1941, by reason of default in making the Return of the election expenses within the time prescribed ~~time~~ in that behalf:-

Name of Constituency	Name of Person	Whether Candidate or election agent
Gundlupet Cum Chamraj-Nagar Cum Nanjangud Cum T. Narasipur Cum Yelandur Muslim Constituency	Mr. Amarjan	Candidate

By order

The Compiler Mysore Gazette for publication in Part III of the Gazette supply of 25 copies

P.T.O.

Secy to Govt.

Memo No: _____

Copy of the above is W. W. C.
to the D. C. Mysore Dh, &
the Secy R. A. & L. C. for inform.

B. O.

Secy to Govt
Law Dept.

[illegible]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 12

No. RL 3485-RR 115-40-1 General and Revenue Secretariat,

Dated Bangalore, 7.4.41 April 194 1

NOTIFICATION.

In exercise of the powers conferred under clause (h) of Sub-section (1) of Section 20 of the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to remove the disqualification incurred under paragraph (h) of sub-section (1) of the said section, by the undermentionsd person being a candidate at the elections to the Mysore Representative Assembly held in the year 1941, by reason of default in making the return of election ~~xxxx~~ expenses within the time prescribed in that behalf:-

Name of constituency.	Name of person.	Whether candidate or election agent.
Gundlupet cum Chamarajnagar cum Nanjangud cum T.Narsipur cum Yelandur Muslim constituency.	Mr. Ameerjan.	candidate.

By Order,
Sd/- H.V. Narayana Rao,

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette for publication in Part III of the Gazette and supply of 25 copies to the Secretariat.

Memo No: RL 3488-87 dated 11-4-41

Copy of the above is forwarded with compliments to the D.C. Mysore dist. for information.

By Order,
M.K. Varadaraj Urs
For Secretary to Government,
Law Department.

Jain copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 13

No. RL 34 RP 115 40-1

General and Revenue Secretariat,

Dated Bangalore, 21st April 1941

NOTIFICATION.

In exercise of the powers conferred under clause (h) of Sub-section (1) of Section 20 of the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to remove the disqualification incurred under paragraph (h) of sub-section (1) of the said section, by the undermentioned person being a candidate at the elections to the Mysore Representative Assembly held in the year 1941, by reason of default in making the return of election ~~xxxx~~ expenses within the time prescribed in that behalf:-

Name of constituency.	Name of person.	Whether candidate or election agent.
Gundlupet cum Chamarajnagar cum Nanjangud cum T.Narsipur cum Yelandur Muslim constituency.	Mr. Ameerjan.	candidate.

By Order,

M. N. Varadarajan

For Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette for publication in Part III of the Gazette and supply of 25 copies to the Secretariat.

LAW SECRETARIAT.

14

No. Rl. 3485—*R. A.* 115-40-1, *dated* 21*st April* 1941.

In exercise of the powers conferred under clause (h) of Sub-section (1) of Section 20 of the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to remove the disqualification incurred, under paragraph (h) of Sub-section (1) of the said section, by the undermentioned person being a candidate at the elections to the Mysore Representative Assembly held in the year 1941, by reason of default in making the return of election expenses within the time prescribed in that behalf :—

Name of constituency	Name of person	Whether candidate or election agent
Gundlupet *cum* Chamarajnagar *cum* Nanjangud *cum* T.-Narsipur *cum* Yelandur Muslim Constituency.	Mr. Ameerjan ...	Candidate

By Order,
H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

S. C. 25.

LAW SECRETARIAT.

No. Rl. 3485—*R. A.* 115-40-1, *dated* 21*st April* 1941.

15

In exercise of the powers conferred under clause (h) of Sub-section (1) of Section 20 of the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to remove the disqualification incurred, under paragraph (h) of Sub-section (1) of the said section, by the undermentioned person being a candidate at the elections to the Mysore Representative Assembly held in the year 1941, by reason of default in making the return of election expenses within the time prescribed in that behalf :—

Name of constituency	Name of person	Whether candidate or election agent
Gundlupet *cum* Chamarajnagar *cum* Nanjangud *cum* T.-Narsipur *cum* Yelandur Muslim Constituency.	Mr. Ameerjan ...	Candidate

By Order,

H. V. Narayana Rao,
Secretary to Government,
Law Department.

S. C. 25.